

Massachusetts Plant Nutrient Regulations: Non-Agricultural Turf and Lawns

Why were plant nutrient regulations implemented?

In 2012, the Massachusetts Legislature passed *An Act Relative to the Regulation of Plant Nutrients* (Act).ⁱ The Act directed the Department of Agricultural Resources (MDAR) to develop regulations to ensure that plant nutrients are applied in an effective manner to provide sufficient nutrients for maintaining healthy agricultural and non-agricultural land, including turf and lawns, while minimizing the impacts of the nutrients on surface and ground water resources to protect human health and the environment.

What do the regulations involve?

The Act and regulationsⁱⁱ establish standards for the applications of plant nutrients, including limitations on phosphorus-containing fertilizer, to non-agricultural turf and lawns. The regulations also enhance the ability of municipalities to maximize the credits relative to storm water discharge or similar permits issued by the United States Environmental Protection Agency (EPA). The regulations also address the plant nutrient applications to agricultural land, which are summarized in a separate factsheet. The regulations became effective on June 5, 2015.

Who will likely be impacted by these regulations?

In general, these regulations impact anyone who applies plant nutrient materials (including commercial fertilizer and various other plant nutrient materials) to both agricultural and non-agricultural land, including lawn and turf. Record-keeping requirements for non-agricultural applications only apply to professional applicators.

What will these regulations require?

Homeowners and professionals are required to obey plant nutrient application restrictions, use best management practices when applying plant nutrients, and follow University of Massachusetts Amherst Extensions Guidelines (UMass Guidelines) for application rates when applying plant nutrients, including on non-agricultural turf and lawns.ⁱⁱⁱ

Specific restrictions and requirements for turf and lawns:

- Phosphorus-containing fertilizer may only be applied when a soil test indicates that it is needed or when a lawn is being established, patched or renovated.
- Do not apply plant nutrient materials to sidewalks or other impervious surfaces. Plant nutrients that land on these surfaces must be swept back onto the grass or cleaned up.
- No Applications of plant nutrients shall be made:
 - between December 1 and March 1;
 - to frozen and/or snow covered soil;
 - to saturated soil, or soils that are frequently flooded;

- within 20 feet of waterways if using a broadcast method, or 10 feet if using a more targeted application method, such as a drop spreader;
 - within a Zone I of public water supply well or within 100 feet of surface waters that are used for public drinking water supply.
- Plant nutrient amounts that may be applied, including phosphorus and nitrogen, shall not exceed UMass Guidelines for plant nutrient application rates to turf.
 - In determining the amounts of phosphorus and nitrogen that may be applied, the amount known to have been applied with organic plant nutrient sources (such as natural organic fertilizer, compost, and biosolids) should be accounted for.
 - The amount of phosphorus applied with organic sources shall not exceed the maintenance phosphorus rates for turf as specified in the UMass Guidelines. Soil testing provides the most accurate method for determining the phosphorus requirements.
 - Application of biosolids shall comply with the regulatory requirements for land application of such materials (330 CMR 32.00).
 - Soil tests for nutrient analysis shall be obtained from UMass Extension Soil Testing Lab (ref) or a laboratory using methods and procedures recommended by UMass. A soil test is valid for 3 years.
 - Record keeping of plant nutrient application to lawn and turf is required for professional applicators. Information to be recorded, when applicable, includes site location and size, soil test results, date of application, type and amount of plant nutrients applied.

Retailer Requirements

Retailers who sell phosphorus-containing fertilizer are required to:

- Display phosphorus-containing fertilizer products separate from non-phosphorus fertilizer products; and
- Post a sign displaying language informing the consumer about phosphorus-containing fertilizer restrictions for turf and lawns.^{iv}

Enforcement

MDAR has the statutory enforcement authority and may impose an administrative penalty for violations of any provisions in these regulations.

ⁱ An Act Relative to the Regulation of Plant Nutrients:

<https://malegislature.gov/Laws/SessionLaws/Acts/2012/Chapter262>

ⁱⁱ 330 CMR 31.00 et seq.: <http://www.mass.gov/eea/docs/agr/pesticides/docs/plant-nutrient-regulations.pdf>

ⁱⁱⁱ UMass Guidelines for Nutrient Management:

<http://ag.umass.edu/turf/publications-resources/nutrient-management-information>

^{iv} 330 31.08 requires the following language: “PHOSPHORUS RUNOFF POSES A THREAT TO WATER QUALITY. THEREFORE, UNDER MASSACHUSETTS LAW, PHOSPHORUS CONTAINING FERTILIZER MAY ONLY BE APPLIED TO LAWN OR NON-AGRICULTURAL TURF WHEN (i) a Soil Test indicates that additional phosphorus is needed for the growth of that Lawn or Non-agricultural Turf; or (ii) is used for newly established Lawn or Non-agricultural Turf during the first growing season.”